

PEARSON, J.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

AMPLA, LLC,	)	
	)	CASE NO. 4:24CV0869
Plaintiff,	)	
	)	
v.	)	JUDGE BENITA Y. PEARSON
	)	
BURKE DECOR, LLC, <i>et al.</i> ,	)	
	)	
Defendants.	)	<b><u>ORDER</u></b>

On May 14, 2024, Plaintiff Ampla, LLC filed the above-entitled action against Defendants Burke Décor, LLC (“Burke Décor”), Erin Burke,<sup>1</sup> Au Marche, LLC (“Au Marche”), and Furnishings LA, LLC (“Furnishings”) based on diversity jurisdiction. On September 24, 2024, the case was reassigned to the docket of the undersigned pursuant to General Order 2024-19.

Plaintiff’s sole member is Ampla Technologies, Inc., a Delaware corporation with its principal place of business in New York City. *See* Complaint ([ECF No. 1](#)) at PageID #: 4, ¶ 6.

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<sup>1</sup> Ms. Burke filed a voluntary Chapter 11 bankruptcy in the U.S. Bankruptcy Court for the Central District of California. *See* [In re Erin Burke, No. 2:24-bk-14882-BB](#) ([Bankr. C.D. Cal. filed June 20, 2024](#)). *See also* Notice of Suggestion of Bankruptcy ([ECF No. 14](#)). The bankruptcy petition states that Ms. Burke resides in Los Angeles, California.

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Defendant Erin Burke is alleged to be the sole member of Burke Décor, Au Marche, and Furnishings. *See ECF No. 1 at PageID #: 4, ¶¶ 7-10.* Plaintiff alleges “upon information and belief” that Ms. Burke is a resident of Ohio. *ECF No. 1 at PageID #: 4, ¶ 8.* Burke Décor, Au Marche, and Furnishings “deny that Erin Burke is a resident of Ohio.” *See Answer (ECF No. 18)* at PageID #: 135, ¶ 8.

When diversity jurisdiction is invoked in a case in which a limited liability company is a party, the court needs to know the citizenship of each member of the company. “And because a member of a limited liability company may itself have multiple members – and thus may itself have multiple citizenships – the federal court needs to know the citizenship of each ‘sub-member’ as well.” *Delay v. Rosenthal Collins Group, LLC*, 585 F.3d 1003, 1005 (6th Cir. 2009). *See also Americold Realty Trust v. Conagra Foods, Inc.*, 577 U.S. 378, 381 (2016) (reaffirming that for purposes of diversity of citizenship, the citizenship of an unincorporated business entity is determined by its members’ citizenship). Indeed, if Erin Burke is a citizen of Delaware or New York, then complete diversity, and with it federal jurisdiction, would be destroyed. *See Caudill v. N. Am. Media Corp.*, 200 F.3d 914, 916 (6th Cir. 2000).

Accordingly, on or before October 21, 2024, Burke Décor, Au Marche, and Furnishings shall file and serve a Jurisdictional Statement identifying the citizenship of Erin Burke. *See Delay*, 585 F.3d at 1005 (holding that a limited liability company has the citizenship of each of its members).

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Counsel and the parties are reminded that this case is set for a Telephonic Case Management Conference on October 30, 2024, at 10:00 a.m. *See* Scheduling Order ([ECF No. 20](#)).

IT IS SO ORDERED.

October 9, 2024  
Date

/s/ Benita Y. Pearson  
Benita Y. Pearson  
United States District Judge